



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/561,889 Confirmation No. 5917  
 Applicant(s) : KHALID SAYOOD et al.  
 Filed : 12/21/2005  
 Title : SYSTEM AND METHOD FOR SEQUENCE DISTANCE  
 MEASURE FOR PHYLOGENETIC TREE CONSTRUCTION  
 Group Art Unit :  
 Examiner :  
 Docket No. : UNVN.115325  
 Customer No. : 05251

 CERTIFICATE OF MAILING  
 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited  
 with the U.S. Postal Service, postage prepaid, as First Class  
 Mail in an envelope addressed to: Mailstop Missing Parts,  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
 22313-1450, on:

03/31/2006 *Sandra Sutton*  
 Date Signature

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Mailstop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in  
 the United States Designated/Elected Office, mailed 03/31/2006, enclosed herewith are the  
 following documents:

1. Petition for Three-Month Extension of Time and the fee of \$510 (small entity).
2. Executed Declaration and Power of Attorney which identifies the application by  
the international application number and international filing date, and late filing  
fee of \$65 (small entity).
3. Written sequence listing.

09/12/2006 ATRAN1 00000099 10561889

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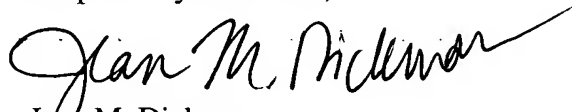
2087452v1

4. Computer Readable Form (CFR) of sequence listing.
5. Declaration of Jean M. Dickman that the information recorded on the computer readable form is identical to the written sequence listing.
6. Amendment directing the entry of the sequence listing into the application.
7. Copy of the Notice.

The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 19-2112. A duplicate copy of this response is enclosed.

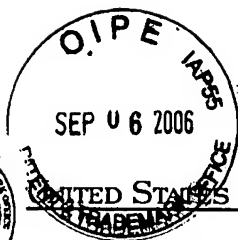
Dated: August 31, 2006.

Respectfully submitted,

  
Jean M. Dickman  
Reg. No. 48538

JMD/sls  
Enclosures

SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, Missouri 64108-2613  
816/474-6550

PCT  
2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO. 10/561,889	FIRST NAMED APPLICANT	ATTY. DOCKET NO. UNVN.115325
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INTERNATIONAL APPLICATION NO.
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PCT/US04/19762

I.A. FILING DATE 06/21/2004	PRIORITY DATE 06/19/2003
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05251  
 SHOOK, HARDY & BACON LLP  
 INTELLECTUAL PROPERTY DEPARTMENT  
 2555 GRAND BLVD  
 KANSAS CITY,, MO 64108-2613

CONFIRMATION NO. 5917

371 FORMALITIES LETTER



\*OC000000018429298\*

Date Mailed: 03/31/2006

Response Due 5/31/06 (TR)

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/21/2005
- Information Disclosure Statements filed on 12/21/2005
- U.S. Basic National Fees filed on 12/21/2005
- Priority Documents filed on 12/21/2005
- Specification filed on 12/21/2005
- Claims filed on 12/21/2005
- Abstracts filed on 12/21/2005
- Drawings filed on 12/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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- **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/561,889

INTERNATIONAL APPLICATION NO.

PCT/US04/19762

ATTY. DOCKET NO.

UNVN.115325

FORM PCT/DO/EO/905 (371 Formalities Notice)